



Ministry
of Justice



Offender Management Statistics Bulletin, England and Wales

Quarterly July to September 2015

Ministry of Justice
Statistical Bulletin

28 January 2016

Introduction

This bulletin provides the latest statistics relating to offenders who are in prison or supervised in the community in England and Wales. The statistics are presented in detail, with commentary, and reference to longer term trends, in the following sections of the bulletin.

This bulletin covers the prison population as at 31 December 2015 and the probation caseload as at 30 September 2015, and compares them to the same time in the previous year.

This bulletin also covers prison receptions and probation starts, as the flows into these services, and releases from prison and probation terminations, as the flows out of these services. For each of these topics this bulletin reports on the quarter July to September 2015, compared to the same period in the previous year.

Further information about background, data definitions, data quality issues, and users of the statistics are available in the accompanying documentation.

The next edition of this bulletin, covering the period October to December 2015, with prison population figures as at 31 March 2016, will be published on 28 April 2016 at 9.30am.

Forthcoming changes

In the next edition of *Offender Management Statistics Quarterly* (OMSQ), as a result of improvements to IT and resultant changes in methodology, statistics on prison receptions, releases and adjudications will change. In the longer term, this means that more detailed information about prison receptions, releases and adjudications should be available for inclusion in this statistical series.

For the next edition of OMSQ, it is likely there will be differences between the new and old statistics that will need to be quantified and explained, and direct comparisons may not be possible. Immediate changes, that should begin to take place in the next edition, will be the introduction of more detailed sentence length breakdowns and the transition over to the offence groups that the Office for National Statistics (ONS) introduced in 2013.

When these changes are first introduced, feedback will be welcome from our users to help develop and refine these further. As a result of these changes, the accompanying documentation with this bulletin will also be updated.

Key Findings

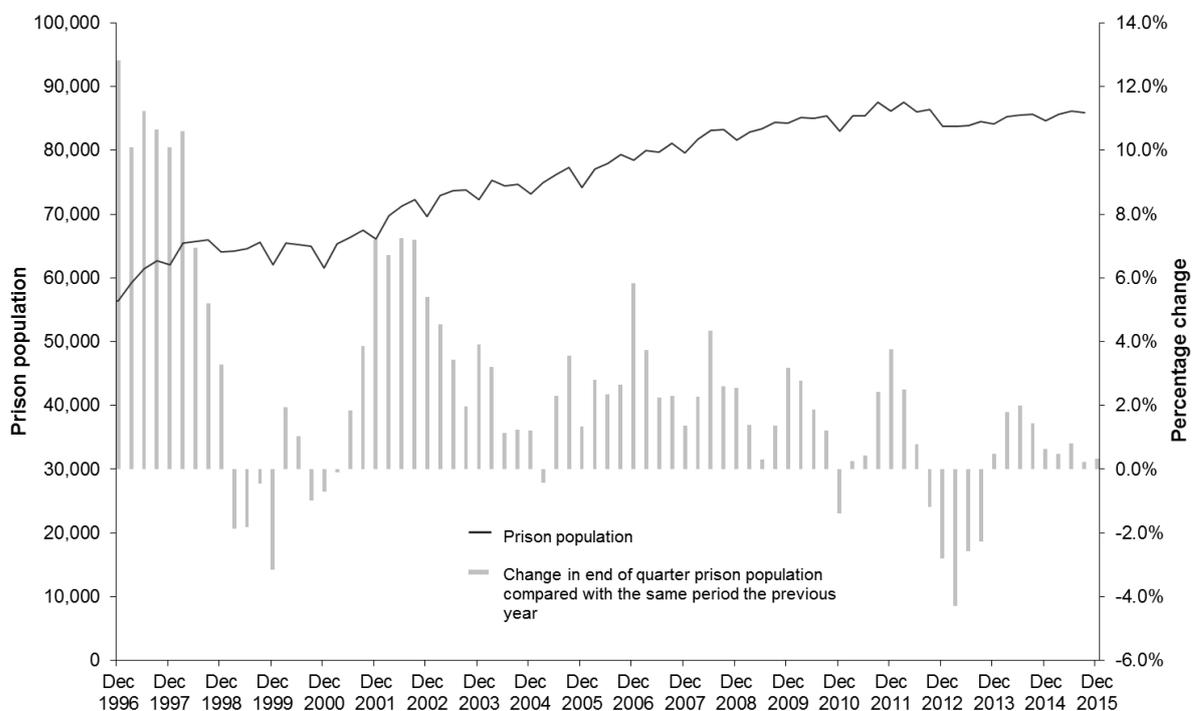
- The total number of prisoners has remained relatively stable over the last twelve months to 31 December 2015 with an increase of fewer than 300 prisoners. The composition of those on remand, sentenced and non-criminal population, however, has changed.
- The sentenced prison population continues to shift towards a population serving longer determinate sentences. The number of prisoners serving determinate sentences of four years or more continued to increase. Prisoners serving a determinate sentence of ten years or more now account for 9% of the prison population.
- Prison receptions and releases for determinate sentences decreased across all sentence lengths over the last year. Even receptions for determinate sentences of four years or more decreased slightly compared to the same period in 2014, rather than slightly increasing as has been the recent trend.
- The Offender Rehabilitation Act 2014 (ORA) expanded licence supervision so that anyone sentenced to more than a day in prison will receive at least 12 months supervision on release. This continues to increase both the probation caseload and the number of offenders recalled to custody to the end of September 2015.
- The total annual probation caseload (court orders and pre and post release supervision) stood at around 234,000 at the end of September 2015, up 7% on the end of September 2014. This rise is mainly due to the impact of ORA. The court order caseload (offenders on community orders (COs) and suspended sentence orders (SSOs)) fell slightly by less than 1%, with the CO caseload falling 2% but the SSO caseload rising by 5% between the quarters ending September 2014 and 2015. 58 offenders were given a supervision default order and 37 were committed to prison for such a breach.
- A total of around 6,000 offenders were recalled to custody between July and September 2015. Almost 1,800 of these were serving a sentence of less than 12 months, which only became eligible for recall as a result of ORA and explain the entire 28% increase in licence recalls compared with the same period in 2014.
- The proportion of offenders not returned to custody by the end of December 2015, following a licence recall over the whole period 1999 to the end of September 2015, remained stable with only 6 in every 1,000 prisoners not being returned to custody.

Prison population

The total number of prisoners has remained relatively stable over the last twelve months to 31 December 2015 with an overall increase of fewer than 300 prisoners. The composition of those on remand, sentenced and non-criminal population, however, has changed. The sentenced population has increased by 2% compared to 31 December 2014. Since the beginning of 2015, the remand population has gradually decreased, which is represented by a 9% drop since the same point in 2014. There has been a substantial 26% decrease in the non-criminal population, which may reflect changes in the National Offender Management Service (NOMS)-operated Immigration Removal Centre (IRC) estate, including the decommissioning of detention places at Haslar IRC from April 2015 and Dover IRC from November 2015. The demographics of the overall prison population are also changing.

The [‘Story of the Prison Population 1993 to 2012’](#) provides an in-depth look at what happened to the prison population between 1993 and 2012 and the major factors contributing to the changes. Figure 1 presents an overview of the prison population since 1996, including the annual percentage change by quarter. Further details on the longer term changes in the prison population and the reasons behind them can also be found in the annex to this bulletin.

Figure 1: Quarterly prison population and annual percentage change, England and Wales, December 1996 to December 2015



Remand

Since late 2014, the remand population has steadily decreased to 10,779 prisoners as at 31 December 2015. This is the first time the remand prison population has been under 11,000 since August 2013 and is consistent with the decreasing number of outstanding cases for the Crown Court (see [Criminal Court Statistics Quarterly](#)).

The number of prisoners on remand for possession of weapons continues to follow the trend from last quarter and increased by 62% compared to 31 December 2014. This may be due to changes in the volume and nature of prosecutions for knife crime or linked to the provisions in the [Criminal Justice and Courts Act 2015](#). Under the 2015 Act, offenders aged 18 or over convicted of a second offence of possession of a blade or offensive weapon sentenced on or after 17 July 2015 now face a minimum custodial sentence of six months or four months if the offender is aged between 16 or 17. It is possible increases in this offence group seen in earlier quarters may have been due to the impact of the Bill on the Justice system before its implementation.

In contrast, prisoners remanded in to custody for robbery and theft offences have both decreased by 19% compared to the same point in 2014.

Sentenced

In line with the long term trend, the sentenced population increased slightly (2%), however its composition continues to change. The number of prisoners serving sentences of less than four years decreased slightly (2%) whereas those serving determinate sentences of four years or more continued to increase, by 5% over the twelve months to 31 December 2015. Much of this is attributable to the expanding population serving an extended determinate sentence (EDS). As at 31 December 2015, 3% of the sentenced prison population (2,439 prisoners) were serving an EDS.

Over a third of the total prison population was serving a determinate sentence of four years or more, excluding indeterminate sentences, on 31 December 2015. 7,784 prisoners, representing 9% of the total prison population, were serving determinate sentences of ten years or more, excluding EDSs, as at 31 December 2015.

The rise in the long determinate sentenced population is in line with the increasing number of sentenced sex offenders. At the end of December 2015, there were 11,975 sentenced sex offenders in the prison population, which is 9% higher than twelve months before. This is consistent with the recent ['Crime in England and Wales'](#) bulletin from the Office for National Statistics that reported the highest number of sexual offences recorded by the police since 2002/03, for the year ending September 2015.

In contrast, the sentenced population for violence against the person offences remains the largest sentenced population by offence group and has increased by 3% over the last year to December 2015. Sentenced offenders for possession of weapons also showed an increase of 25% compared to the same time last year. It is possible this is as a result of the same changes in legislation that may have led to substantial increases in the number of prisoners on remand for the same offence group.

The number of prisoners serving indeterminate sentences, which consist of Indeterminate sentences for Public Protection (IPPs) or life sentences, was down 6% on the previous year, to 11,675. As a result of the abolition of the IPP sentence, offenders are no longer receiving these sentences and prisoners are only being released. Therefore over the last year, the decrease in the indeterminate sentence population is explained almost entirely by the declining IPP population. In the longer term, the IPP population has fallen by 28% from 5,920 as at the end of December 2012 to 4,289 as at the end of December 2015. Over the last twelve months alone, the IPP population has fallen by 12% from 4,894 to 4,289. The number of IPP prisoners who are post-tariff has decreased slightly in the last twelve months (down 6%), however the proportion of the population post-tariff continues to increase; 79% of IPP prisoners are now post-tariff compared to 74% this time last year.

The number of life sentenced prisoners remained stable at just under 7,400. There were 53 whole-life prisoners at the end of December 2015, with five additional life prisoners being treated in secure hospitals.

For the first time, we are providing a breakdown by sex of prisoners serving indeterminate sentences. As at 31 December 2015, there were 11,314 male prisoners serving IPP and Life sentences (4,218 and 7,096 respectively). There were 361 female prisoners serving IPP and Life sentences (71 and 290 respectively).

Recall to Custody

The prison population who have been recalled to custody continues to rise; by 17% over the year to 6,511 prisoners. This may be one of the reasons behind the slight increase in the sentenced prison population. A combination of factors may be driving this growth in the recalled population. The Offender Rehabilitation Act 2014 (ORA) expanded licence supervision so that anyone sentenced to more than a day in prison will receive at least 12 months supervision on release. These individuals are therefore eligible to be recalled to custody, whereas previously this was not the case. As at 31 December 2015, there were 455 prisoners recorded as being recalled to custody as a result of ORA, which represents 7% of the total recall population. Over time, the numbers of released IPP prisoners recalled to custody has also increased slightly, which may also be a contributing factor.

Foreign National Offenders

For the first time since 2005, the foreign national population held in custody and NOMS-operated IRCs fell below 10,000 offenders; 9,895 as at 31 December 2015. This represents a decrease of 6% compared to 31 December 2014. This is due mainly to the withdrawal of Home Office commissioned places at Haslar IRC in April 2015 and Dover IRC in November 2015. The foreign national population, however, still represents around 12% of the total prison population.

The five most common nationalities after British Nationals in prisons in England and Wales are Polish, Irish, Romanian, Jamaican and Lithuanian, accounting for approximately one third of the foreign national population and one in twenty of the prison population overall.

Prison receptions

First receptions count prisoners the first time they appear in prison from court. A prisoner's reception type is counted each time they are first received into custody as untried, convicted unsentenced, and sentenced prisoners from court. This means that prisoners can be counted in more than one of these categories if their custody status changes as they progress through the Criminal Justice System in the reporting period.

A total of 24,291 offenders were received into custody as first receptions in the quarter ending September 2015, a fall of 8% on the same quarter in the previous year. This fall was driven by a decrease in both the number of remand and sentenced receptions. There was a 9% decrease in both the number of untried and convicted unsentenced remand receptions when compared to the same quarter last year. The fall in the number of sentenced receptions was less pronounced with a 4% decrease. In contrast, the number of sentenced receptions of longer determinate sentences of four years or more remained stable, rather than continuing to increase as has been the observed trend for this category over recent quarters.

There were large decreases observed in the number of sentenced receptions for robbery (24%), burglary (10%), and theft and handling (9%) when compared to the same quarter in the previous year. However, the number of sentenced receptions for violence against the person and sexual offences remained stable and the number of sentenced receptions for motoring offences displayed the largest increase (7%).

Young adult (18 to 20 years) and juvenile (15 to 17 years) untried remand receptions have both decreased by 17% compared to the same quarter last year. The number of young adult sentenced receptions has also decreased (15%) although this fall was more pronounced for 15 to 17 year olds (20%). For young adults, decreases in the number of receptions were observed in all categories of sentence lengths, except for those greater than 6 months and less than 12 months, which displayed a slight increase (2%).

Experimental Statistics: Former Members of the Armed Forces

In December 2014, the Government published [a response to the review of ex-armed forces in the criminal justice system](#). In line with recommendation 2, NOMS have been recording whether remand and newly sentenced prisoners self-report as a member of the armed services on first reception into prison through the Basic Custody Screening Tool (BCST). Those individuals who are matched in both the BCST and appear as a first prison reception through the Prison-NOMIS system are taken forward as a cohort for these statistics. Figures presented in this publication are still in an exploratory stage and may be revised in subsequent releases according to developments in methodology and improvements in data quality.

Former members of the armed forces accounted for 721 of the matched first receptions for the period July to September 2015. This accounts for approximately 4% of offenders who responded to the question asked.

Prison releases

A total of 16,903 offenders were released from custody in the quarter ending September 2015, a fall of 8% compared with the same quarter last year. This has been driven by decreases in the number of releases across all determinate sentence length bands, with the largest fall being observed in releases for those serving sentences of less than or equal to 6 months (-12%). In contrast, there were 140 prisoners released from an IPP and a further 86 from a life sentence, which when taken together, have increased indeterminate releases by 40% compared to the same quarter last year.

In addition, 12 indeterminate sentenced prisoners were removed under the Tariff Expired Removal Scheme (TERS) in the latest quarter. This scheme allows indeterminate sentenced foreign national prisoners, who are liable to removal from the UK, to be deported from the country on or after the date of their tariff expiry without referral to the Parole Board. The scheme began in May 2012, and by the end of September 2015 there had been 338 removals in total.

The number of releases on Home Detention Curfew (HDC) fell by 2% to 2,135 between the quarters ending September 2014 and September 2015. To be considered for release under HDC an offender must be serving a sentence of between 3 months and less than 4 years, and the number of offenders in the prison population serving such sentences has been slowly falling.

Between July and September 2015, there were 81,242 incidences of release on temporary licence (ROTL) from prisons in England and Wales. This is a 25% reduction since the same period in 2014; all types of licence showed decreases. This continues the trend of significantly falling numbers of incidences of ROTL since 2013, where the number of incidences recorded was at its highest level. This continuous fall can likely be attributed to remedial action to tighten ROTL processes following serious failures in 2013.

The number of ROTL incidences for females decreased by 14%, compared to a 26% decrease for males over the same period. The number of individuals given at least one instance of ROTL between July and September 2015 was 3,521, which represents a 20% decrease over the year. Of the individuals given at least one instance of ROTL, 22% were on an indeterminate sentence.

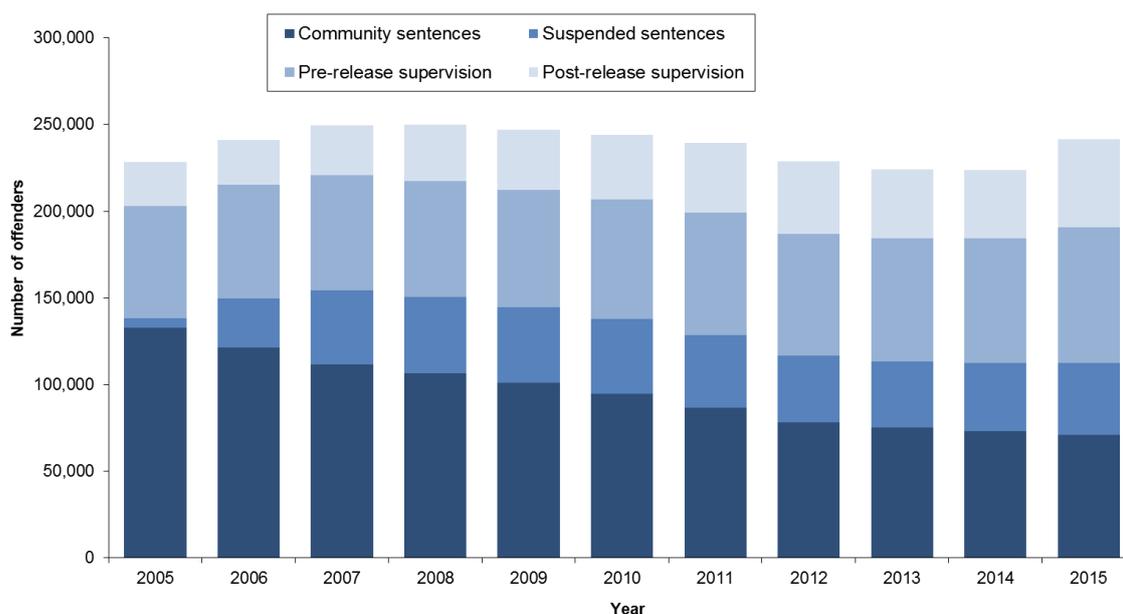
There were 41 recorded temporary release failures (TRFs) between July and September 2015, which is around a third fewer failures compared to the same quarter of the previous year.

Probation

Transforming Rehabilitation is a reform programme that is changing the way offenders are managed in the community. Since the 1st June 2014, Probation Trusts have been replaced by the National Probation Service (NPS), which manages the most high-risk offenders across seven divisions; and 21 new Community Rehabilitation Companies (CRCs), who manage medium and low-risk offenders.

The total annual probation caseload (court orders and pre and post release supervision) increased by 39% between 2000 and 2008 to 243,434. Since then the probation caseload fell year on year, reaching 217,359 at the end of 2014. However, at the end of September 2015, the total caseload stood at 234,229, up 7% on the number one year earlier. This recent rise is mainly due to statutory supervision on release from prison for all offenders given custodial sentences.

Figure 2: Number of offenders under Probation Service supervision at end of December, 2005-2014 and end of September 2015



The court order caseload (offenders on community orders (COs) and suspended sentence orders (SSOs)) fell slightly by less than 1%, with the CO caseload falling by 2% but the SSO caseload rising by 5% between the quarters ending September 2014 and 2015. The increase in SSOs is likely to be related to changes under the LASPO Act 2012, which provided for custodial sentences of two years or less to be suspended where previously only custodial sentences of 12 months or less could be suspended. The number of offenders starting COs fell very slightly over this period, by less than 1%, while starts of SSOs with requirements increased by 1%.

In addition, in the quarter ending September 2015 there were 2,738 (an increase of 36%) starts of SSOs without requirements attached. This brings the total number of stand-alone SSOs starts to more than 18,000 since they were introduced under the LASPO Act 2012 (see **Accompanying Information Appendix A – Data sources and quality**).

The caseload of offenders supervised before or after release from prison increased by 15% between the quarters ending September 2014 and 2015, whilst the number of pre-release supervision starts has more than doubled, from 10,477 to 24,772. This is due to the introduction of the Offender Rehabilitation Act 2014 (ORA) on 1st February 2015, where all offenders given custodial sentences are now subject to statutory supervision on release from prison. Previously only adults sentenced to over 12 months in custody and all young offenders were subject to statutory supervision.

ORA also made provision for those sentenced to under 2 years in custody to receive a period of 'post sentence' supervision after their licence expires to make sure they get 12 months supervision in the community. If this period is breached, the offender can be taken back to court and given a supervision default order to be served in the community or committed to prison for up to 14 days. In the quarter ending September 2015, 58 offenders were given a supervision default order and 37 were committed to prison for such a breach.

With regards to the number of requirements started under court orders, there has again been a continued rise in curfews and standalone curfews in particular. This may reflect the continuing impact of a mandatory punitive requirement in every community order, introduced from December 2013 under the Crime and Courts Act 2013. There have generally been falls across the other requirements, with the supervision requirement in particular being replaced by the rehabilitation requirement introduced under ORA.

Of the court orders terminated in the quarter ending September 2015, 70% of community orders were terminated successfully; they either ran their full course or were terminated early for good progress. For the supervision periods of suspended sentence orders, some 70% were terminated successfully over this period.

The number of court reports prepared by the Probation Service continued to fall by 33% between 2010 and 2014 to 141,932, reflecting the long term downward trend in the number of cases being dealt with by the courts. Since then the volume of court reports increased by 13%, reaching 39,929 in the quarter ending September 2015.

In general, courts follow the sentences proposed in pre-sentence reports (PSRs), particularly where an immediate custodial sentence has been recommended. Around 85% of such proposed sentences in PSRs resulted in immediate custody.

Licence recalls

A key element of public protection is that offenders released on licence should be effectively supervised in the community and swiftly recalled to custody if they breach their licence or if their behaviour gives cause for concern. It is explained to offenders at the outset that they are liable to be recalled to custody if they breach any of the conditions of their licence. There are various reasons why offenders are recalled to custody for breaching their licence conditions besides committing a further offence. For example, an offender may be recalled if there is any deterioration in behaviour which leads NOMS to conclude that there is an increased risk of the offender committing further offences.

Between April 1999 and September 2015, 202,128 of those released on licence were recalled to custody for breaching the conditions of their licence, e.g. failing to report to their probation officer. Of all those recalled over this period, 99.4% were returned by the end of December 2015.

In the period between July and September 2015, 6,007 offenders were recalled for breaching the conditions of their licence, representing an increase of 28% compared to the same period in 2014. This is entirely due to the implementation of the Offender Rehabilitation Act 2014 (ORA), which expanded licence supervision so that anyone sentenced to more than a day in prison will receive at least 12 months supervision on release. This came into effect for those sentenced from 1 February 2015. Of these 6,007 licence recalls, 1,771 were for offenders serving a sentence of less than 12 months. Without these, recalls would have fallen by 10% compared with July to September 2014.

Of all those released on licence and recalled to custody due to breaching the conditions of their licence between April 1999 and September 2015, there were 1,229 who had not been returned to custody by the end of December 2015. This means the proportion of prisoners not returned to custody over this period is 0.6%, which is constant compared to previous years. A further 18 offenders had not been returned to custody as of 31 December 2015 after recall between 1984 and April 1999, meaning the total number of offenders not returned to custody at the end of September 2015 was 1,247. These figures include some offenders believed to be dead or living abroad but who have not been confirmed as dead or deported.

Of the 1,247 not returned to custody by 31 December 2015, 161 had originally been serving a prison sentence for violence against the person offences and a further 38 for sexual offences.

Annex

The prison population grew rapidly between 1993 and 2008, at an average of 4% a year. This rapid rise was driven by:

- Increases in the number of people sentenced to immediate custody from 1993 to 2002;
- Increases in the average custodial sentence length and increased use of indeterminate sentences; and
- Increases in the number of offenders recalled to prison following breaches of their licence conditions, along with increases in the average length of time these offenders spent in prison once recalled.

The rise in the prison population slowed considerably from the summer of 2008, in part due to the introduction of the [Criminal Justice and Immigration Act 2008](#), which changed sentencing and offender management in ways which helped to reduce growth in the prison population.

This flatter trend continued until the public disorder seen in UK cities from 6 to 9 August 2011 which had an immediate but temporary impact on the prison population. During 2012 and into 2013, the prison population began to fall due to a falling remand population and a continued decline in the number of under 18s in custody. The falling remand population during 2012 reflected falling volumes going through the courts plus the introduction of the [Legal Aid, Sentencing and Punishment of Offenders \(LASPO\) Act](#) in December 2012. This Act restricted the use of remand for offenders who would be unlikely to receive a custodial sentence.

Following the LASPO Act in December 2012, and up until the end of June 2013, the prison population stabilised. In particular, by March 2013 the remand population stopped falling as it had done since August 2011. After settling at a lower level the remand population then began to rise again from August 2013, and contributed to the sharp rise in the prison population seen between the end of August and October 2013. Overall, since June 2013 the prison population has increased, albeit at a slower rate than in previous years, typically growing at around 1% or less a year.

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General information about the official statistics system of the UK is available from: www.statisticsauthority.gov.uk/about-the-authority/uk-statistical-system

Ministry of Justice publishes data relating to offender management in England and Wales. Equivalent statistics for Scotland and Northern Ireland can be found at:

www.scotland.gov.uk/Topics/Statistics/Browse/Crime-Justice
www.dojni.gov.uk/index/statistics-research/stats-research-publications.htm

This publication and associated spreadsheet files of the tables contained in this document and detailed information of definitions, sources and key legislative changes are available for download at:

www.gov.uk/government/collections/offender-management-statistics-quarterly



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